IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 197 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE K.A.PUJ

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SUSHILABEN RAMJIBHAI PATEL

Versus

CHIMANLAL CHUNILAL SONI

Appearance:

MR VC DESAI for Petitioner No. 1

MR MB GANDHI for Respondent No. 1

NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE K.A.PUJ

Date of decision: 18/09/2002

ORAL JUDGEMENT

Heard Mr. V.C. Desai, ld. advocate appearing for the applicant-revisionist and Mr. M.B. Gandhi, ld. advocate appearing for the respondent. In view of the amendment made in Sec. 115 of the Civil Procedure Code, and since this Court has already taken the view that the said amended provisions are applicable to the pending revisions which are filed even prior to 1st July 2002,

the present Civil Revision Application is not maintainable. Mr. Desai, therefore, submits that the applicant wants to withdraw the present petition with a liberty to file a Special Civil Application under Art. 227 of the Constitution of India in respect of orders which are challenged in the present revision. Permission as sought for is granted. The present Civil Revision Application is accordingly disposed of as having been withdrawn.

2. Mr. M.B. Gandhi, ld. advocate appearing for the respondent has made a statement before this Court that for the period of four weeks from today, the respondent would not withdraw the Civil Suit No. 61 of 2000 pending before the ld. Civil Judge (JD), Viramgam.

rmr. [K.A. Puj, J.]